

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at CHATTANOOGA

BLUE POINT ONE, LLC,

*Plaintiff,*

v.

JES BEARD, *et al.*,

*Defendants.*

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Case No. 1:12-cv-343

Judge Mattice  
Magistrate Judge Lee

**ORDER**

On December 13, 2013, the Court referred Plaintiff's Motions for Default Judgment to United States Magistrate Judge Susan Lee for a Report and Recommendation (Doc. 20) pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b). On January 15, 2014, Magistrate Judge Lee filed her Report and Recommendation, recommending that Plaintiff's Motions for Default Judgment be granted so that Plaintiff is vested with legal title superior to the interest of Defendants Beard, McDonald, Hypo, and Murray in the property described. (Doc. 26 at 5-6).

Defendants have filed no objections to the Magistrate Judge's Report and Recommendation.<sup>1</sup> Nevertheless, the Court has reviewed the record in this matter, and it agrees with the Magistrate Judge's well-reasoned conclusions.

Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Lee's findings of fact and conclusions of law. Plaintiff's Motions for Default Judgment (Docs. 13-16) are hereby **GRANTED**. Plaintiff is hereby vested with legal title superior to the interest

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<sup>1</sup> Magistrate Judge Lee specifically advised Defendants that they had 14 days in which to object to the Report and Recommendation and that failure to do so would waive their right to appeal. (Doc. 45); *see* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").

of Defendants Beard, McDonald, Hypo, and Murray in the property at issue. *See* Doc. 26 at 5-6(describing the specific property). Defendants Beard, McDonald, Hypo, Murray, and all persons claiming under them, have no stake right, title, lien or interest whatsoever in the property, or any part thereof, and any such interest owned by Defendants Beard, McDonald, Hypo, Murray is divested from Defendants Beard, McDonald, Hypo, Murray.

**SO ORDERED** this 10th day of March, 2014.

/s/ *Harry S. Mattice, Jr.*  
HARRY S. MATTICE, JR.  
UNITED STATES DISTRICT JUDGE